

Notice of Allowability

Application No.

09/752,501

Examiner

Prenell P. Jones

Applicant(s)

KOMPELLA, KIREETI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/9/07.
2. ☒ The allowed claim(s) is/are 2, 3, 5, 6, 8-28, 36-41, 53-55, 63, 71, 72 and 79-84.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 2, 3, 5, 6, 8-28, 36-41, 53-55, 63, 71, 72 and 79-84 are allowed over prior art.
2. The following is an examiner's statement of reasons for allowance: Applicant has canceled previously rejected claims 29-33, 60 and 61.

Although the prior art discloses a communication system path determination by utilizing system constraints, they fail to teach or suggest with respect to claims 5, 6, 11, 20, 37, 38, 39, wherein the at least one network path determination constraint is expressed in the form of program including one or more executable instructions, with respect to claim 18, determine whether the node is a tail-end, head-end or intermediate node, if it is determined that the node is a tail-end node, and at least one network path determination constraint has been satisfied, then signaling back to an upstream node of that path that the path is O.K., determining whether a strict-hop node is specified as a next node of an explicit path constraint, a loose-hop node is specified as a next node of an explicit path constraint or no node is specified as an explicit path constraint, if a strict-hop node is specified as a next node of an explicit path constraint, then applying each of the at least one network path determination constraint to an appropriate one of a link between the node and the strict-hop node, and the partial path defined, with respect to claim 36, if the tail-end node of the path is in a part of the network, the topology of which is not known by the node, then performing a constraint-based path determination to a next node selected from a group of nodes consisting of an area border node, an autonomous system gateway node to generate a partial path and forwarding the message carrying the at least one network path determination constraint to an adjacent downstream node on the partial path, with respect to claim 40, a traffic engineering database generated by the processing for generating wherein the path determination facility is further adapted to determine at least a part of a path

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based on contents of the traffic engineering database, at least one path constraint received from signaling facility, wherein the path determination facility cannot determine a complete constraint-based path to a specified tail-end node, then the path determination facility performs a constraint-based path determination to a next node selected from a group of nodes, with respect to claim 54 and 55, forwarding the message carrying the at least one network path determination constraint to an adjacent downstream node on the partial path, wherein the node is an intermediate node and wherein the act of performing a constraint-based path determination includes determining whether a link from the node to the next node specified in the first portion of the path satisfies the set of at least one constraint, and with respect to claim 72, path determination constraint is an executable instructions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

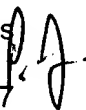
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

August 14, 2007



WING CHAN
SUPERVISORY PATENT EXAMINER